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**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2011-578

**BETH ANN LESLIE**  
**a.k.a. Beth Ann Trude**  
**P.O. Box 151**  
**Chelsea, OK 74016**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

**Registered Nurse License No. 575814**

**RESPONDENT**

**FINDINGS OF FACT**

1. On or about December 27, 2010, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2011-578 against Beth Ann Leslie, a.k.a. Beth Ann Trude (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about January 9, 2001, the Board of Registered Nursing (Board) issued Registered Nurse License No. 575814 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on February 29, 2012, unless renewed.

3. On or about December 27, 2010, Respondent was served by Certified and First Class Mail a copy of the Accusation No. 2011-578, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and Title 16 California Code of Regulations section 1409.1, is required to be reported and maintained with the Board, which was and is:

P.O. Box 151  
Chelsea, OK 74016.

1           4.     Service of the Accusation was effective as a matter of law under the provisions of  
2 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
3 124.

4           5.     On or about January 4, 2011, the signed Certified Mail Receipt was returned to our  
5 office indicating a delivery date of December 31, 2010.

6           6.     Business and Professions Code section 2764 states:

7                 The lapsing or suspension of a license by operation of law or by order or decision of  
8 the board or a court of law, or the voluntary surrender of a license by a licensee shall not deprive  
9 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding  
10 against such license, or to render a decision suspending or revoking such license.

11          7.     Government Code section 11506 states, in pertinent part:

12                 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a  
13 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation  
14 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's  
15 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

16          8.     Respondent failed to file a Notice of Defense within 15 days after service upon her of  
17 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2011-  
18 578.

19          9.     California Government Code section 11520 states, in pertinent part:

20                 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the  
21 agency may take action based upon the respondent's express admissions or upon other evidence  
22 and affidavits may be used as evidence without any notice to respondent.

23          10.    Pursuant to its authority under Government Code section 11520, the Board after  
24 having reviewed the proof of service dated, December 27, 2010, finds Respondent is in default.  
25 The Board will take action without further hearing and, based on Accusation No. 2011-578 and  
26 the documents contained in the Default Decision Investigatory Evidence Packet which includes:  
27 Exhibit 1 – Pleadings offered for jurisdictional purposes; Exhibit 2 – License History  
28 Certification for Beth Ann Leslie, aka Beth Ann Trude, Registered Nurse License No. 575814;

Exhibit 3 – Before the Oklahoma Board of Nursing in the Matter of Beth Ann Leslie, R.N.  
License No. R0058055, September 23, 2004, Order accepting Respondents Surrender of her  
Oklahoma Nursing License; Exhibit 4 – November 6, 2010 letter from Oklahoma Board  
suspending Respondent's license for three months; Exhibit 5 – November 6, 2010 letter from  
Oklahoma Board suspending Respondents license; Exhibit 6 - Affidavit of Shannon Silberling;  
Exhibit 7 – Declaration of costs by Office of the Attorney General for Prosecution of Case No.  
2011-578

11. Taking official notice of the certification of Board costs and the Declaration of Cost  
by the Office of the Attorney General contained in the Default Decision Investigatory Evidence  
Packet, pursuant to Business and Professions Code section 125.3, it is hereby determined that the  
reasonable costs for Investigation and Enforcement in connection with the Accusation are  
\$2,105.00 as of February 28, 2011.

#### DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Beth Ann Leslie has subjected  
her following licenses to discipline:  
a. Registered Nurse License No. 575814  
2. The agency has jurisdiction to adjudicate this case by default.  
3. The Board of Registered Nursing is authorized to revoke Respondent's Registered  
Nurse License based upon the following violations alleged in the Accusation, which are  
supported by the evidence contained in the Default Decision Investigatory Evidence Packet in this  
case.

a. Violation of Business and Professions Code section 2761(a)(4) - Disciplinary  
action by another State Board of Nursing.

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ORDER

IT IS SO ORDERED that Registered Nurse License No. 575814, heretofore issued to Respondent Beth Ann Leslie, a.k.a. Beth Ann Trude is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on June 1, 2011.

It is so ORDERED May 2, 2011

  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

Attachment:

Exhibit A: Accusation No. 2011-578

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 TIMOTHY J. McDONOUGH  
Deputy Attorney General  
4 State Bar No. 235850  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2134  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2011-578*

13 **BETH ANN LESLIE, a.k.a. BETH ANN**  
14 **TRUDE**

15 **P.O. Box 151**  
**Chelsea, Oklahoma 74016**  
**Registered Nurse No. 575814**

**A C C U S A T I O N**

Respondent.

16  
17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about January 9, 2001, the Board of Registered Nursing issued Registered  
24 Nurse License Number 575814 to Beth Ann Leslie, a.k.a. Beth Ann Trude (Respondent). The  
25 Registered Nurse License was in full force and effect at all times relevant to the charges alleged  
26 in this Accusation and will expire on February 29, 2012, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in relevant part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in relevant part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

6. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

STATUTORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

...

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional

1 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
2 action.”

3 COST RECOVERY

4 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
5 administrative law judge to direct a licensee found to have committed a violation or violations of  
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

8 **CAUSE FOR DISCIPLINE**  
9 **(Unprofessional Conduct – Out of State Discipline)**  
10 **(Bus. & Prof. Code §2761(a)(4))**

11 9. Respondent has subjected her Registered Nurse License to disciplinary action under  
12 Code section 2761, subdivision (a)(4), in that on or about September 23, 2004, in a disciplinary  
13 action before the Oklahoma Board of Nursing (Oklahoma Board), the Oklahoma Board accepted  
14 Respondent’s voluntary surrender of her license on certain terms and conditions. Specifically, the  
15 Board ordered that she could not apply for reinstatement of her license for two years. Further,  
16 any application for reinstatement would only be considered after Respondent appeared before the  
17 Board and the Board issued further orders regarding Respondent’s application for reinstatement.

18 10. The Oklahoma Board based its decision on Respondent’s actions on or about  
19 November 26, 2003 while she was working on assignment as a registered nurse at the Jim Thorpe  
20 Rehabilitation Center at Integris Southwest Medical Center in Oklahoma City. Specifically,  
21 Respondent documented on a patient’s Interdisciplinary Progress Notes and Focus Charting Notes  
22 that the results of an I-stat testing was PT 12.0 and INR 1.2. However, Respondent had not  
23 performed the test. The test was performed later that morning and indicated the patient’s PT was  
24 17.0. As a result of the test, the patient’s anticoagulant dosage was modified. The Oklahoma  
25 Board found that Respondent’s actions amounted to unprofessional conduct and jeopardized a  
26 patient’s life, health, and safety.

27 11. On or about July 29, 2009, the Oklahoma Board addressed Respondent’s Application  
28 for Reinstatement of her nursing license. The Board granted Respondent’s request and reinstated  
her license with certain conditions. Respondent would be placed on probation until the conditions

1 were met and her license was "severely reprimanded." The conditions required that Respondent  
2 successfully complete courses on Nursing Jurisprudence, Physical Assessment, the Roles and  
3 Responsibilities of the Registered Nurse, and Interpretation and Significance of Lab Values  
4 within ninety days from July 29, 2009, the date of the reinstatement order. The Oklahoma Board  
5 required Respondent to provide documentation of these courses within the 90-day period.  
6 Further, as a condition of Reinstatement, the Oklahoma Board required Respondent to  
7 successfully complete and provide documentation of completion of classes in Critical Thinking  
8 (which includes moral reasoning) and Professionalism in Nursing (which includes ethics) within  
9 120 days of July 29, 2009. Finally, as a condition of reinstatement, the Oklahoma Board required  
10 Respondent to provided a self-assessment report by the 15th day of the first month of each quarter  
11 of the year and pay an administrative penalty within 60 days of the July 29, 2009 order.

12 12. On or about November 6, 2010, the Oklahoma Board sent a letter to Respondent  
13 explaining that she had failed to submit documentation of successful completion of: Nursing  
14 Jurisprudence, Physical Assessment, the Roles and Responsibilities of the Registered Nurse, and  
15 Interpretation and Significance of Lab Values. The letter further stated that Respondent's license  
16 to practice nursing was suspended for three months and assessed Respondent a fine of \$2,000.  
17 The Oklahoma Board indicated that Respondent could apply for Reinstatement of her license on  
18 February 6, 2010. At the bottom of the letter it appears that Respondent hand wrote "orders not  
19 completed [and] unable to find work under the restrictions given." This hand written note is  
20 signed "B. Leslie."

#### 21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this  
23 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

- 24 1. Revoking or suspending Registered Nurse License Number 575814, issued to Beth  
25 Ann Leslie, a.k.a. Beth Ann Trude;
- 26 2. Ordering Beth Ann Leslie, a.k.a. Beth Ann Trude to pay the Board of Registered  
27 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to  
28 Business and Professions Code section 125.3;



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3. Taking such other and further action as deemed necessary and proper.

DATED: December 27, 2010 Louise R. Bailey  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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